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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PHH MORTGAGE SERVICES, a Delaware
corporation, a/k/a PHH MORTGAGE
SERVICES, a New Jersey corporation,

Plaintiff,

vs.

WESTERN THRIFT & LOAN, a Nevada
corporation; DOES 1-10; and ROE
CORPORATIONS 1-10; and ROE
CORPORATIONS 1-10, inclusive,

Defendants.

CASE NO.: 2:10-CV-001626-JCM-(PAL)

**STIPULATION AND ORDER TO
DISMISS**

AND RELATED THIRD PARTY CLAIMS

COMES NOW Plaintiff/Counterdefendant PHH Mortgage Services, a Delaware corporation a/k/a PHH Mortgage Services, a New Jersey corporation ("**Plaintiff**"), and Defendant/Counterclaimant Western Thrift & Loan ("**Defendant**"), by and through their respective counsel, and hereby stipulate and agree, that all of Plaintiff's claims against the Defendant and all of Defendant's counterclaims against the Plaintiff in the above-captioned action shall be DISMISSED without prejudice, except that all claims arising out of the following loans shall be DISMISSED with prejudice: Powell Loan No. 0028125201 (\$192,000.00); Percival Loan Nos. 0028615540 (\$562,500) and 0026537910 (\$150,000); Walters Loan No. 0030197727 (\$138,800); Ezekwo Loan No. 0028615540 (\$315,000); Stephan Loan No.

0031842982 (\$460,000); Moran Loan No. 0041766718 (\$167,930); Brown Loan No. 0039562608 (\$192,000); Dearaujo Loan No. 0039347802 (\$290,000); and Weber Loan No. 0039726732 (\$680,000). The parties further stipulate and agree that each party shall bear their own attorney's fees and costs.

IT IS SO STIPULATED.

DATED this ____ day of February, 2013.

HOLLAND & HART LLP

GERRARD, COX & LARSEN

By: 

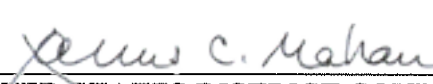
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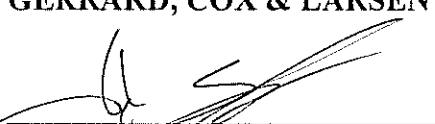
ORDER

IT IS SO ORDERED March 14, 2013.


UNITED STATES DISTRICT COURT JUDGE

Submitted By:

GERRARD, COX & LARSEN


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